



DEP R REF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Hirotugu KAWADA et al. : Mail Stop: US PATENT & TRADEMARK OFFICE  
Serial No. 09/893,504 : ACCOUNTING DIVISION  
Filed June 29, 2001 : REFUND BRANCH  
Attorney Docket No. 2001\_0920A  
Confirmation No. 6297  
RECORDING METHOD AND APPARATUS, OPTICAL DISK, AND  
COMPUTER-READABLE STORAGE MEDIUM

REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request a refund of \$450.00 charged to Deposit Account No. 23-0975 on July 19, 2006. The fee code given indicates the charge is for a two month extension of time. Applicants assert the charge is incorrect.

The Final Office Action dated January 18, 2006 established a shortened response period of three months which would expire April 18, 2006. An Amendment After Final Office Action was timely filed on June 19, 2006 with a two month extension of time (cancelled check #74638, copy enclosed). Since June 18, 2006 was a Sunday, the Applicants' Attorney, adhering to PTO regulations, timely filed their response on the following Monday. A Request for Continued Examination (RCE) with an additional third-month extension of time was filed on July 12, 2006 (cancelled check #75052, copy enclosed). All three months of extensions past the original response date of April 18, 2006 have been paid, but at two different times. It appears the above-identified charge of July 19, 2006 is the result of PTO oversight. The office that received the July 12<sup>th</sup> third-month payment of \$570.00, saw the applicants needed three months of extensions (which would total \$1020.00) but failed to research and see that the other two months of that total (\$450.00) was paid prior. Therefore, it is our belief that the PTO assumed that the \$450.00

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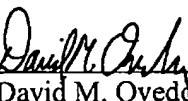
fee had not been paid and should be charged. The PTO has now collected duplicate payment for one fee that was already paid on June 19, 2006.

Kindly credit the refund of ~~\$450.00~~ to the deposit account of undersigned, no. 23-0975. If there are any questions regarding this matter, please contact Donna Reynolds, Accounting Assistant, at (202) 721-8246.

Respectfully submitted,

Hirotsugu KAWADA et al.

By

  
\_\_\_\_\_  
David M. Ovedovitz  
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September 19, 2006

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